

## CERTIFICATE OF MAILING

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*Nora Stein-Fernandez*  
AGENT/ATTORNEY FOR APPLICANT

*March 29, 2001*  
DATE

Attorney Docket No.: C70361

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: W. Muller  
Serial No.: 09/762,022  
Filed: 08/02/99  
For: TOOTHBRUSH

Assistant Commissioner for Patents  
Box PCT/Missing Parts  
Washington, D.C. 20231

RESPONSE TO NOTIFICATION TO FILE MISSING REQUIREMENTS UNDER 35  
U.S.C. 371 IN THE U.S. DESIGNATED ELECTED OFFICE (DO/EO/US)

Sir:

This letter is in response to the "Notification of Missing Requirements under 35 U.S.C. 371 in the DO/EO/US" mailed on February 26, 2001 which indicated that the Declaration for the subject patent application was missing. A copy of "Form PCT/DO/EO/905" is enclosed.

Enclosed please find a Declaration and Power of Attorney for the subject patent application which has been fully executed by the inventors of the subject patent application in compliance with 37 C.F.R. 1.497(a) and (b).

Please charge the \$130.00 surcharge for late filing of the fully executed declaration. Please charge any additional requisite fees for filing the enclosed Declaration and Power of Attorney or credit any over-payment to Deposit Account No. 19-2570. A copy of this form is enclosed.

03/27/2001 NEWYEN 00000147 192570 09762022  
01 FC:154 130.00 CH

Respectfully submitted,

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UNITED STATES DEPARTMENT OF COMMERCE  
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09/17/2002 09/17/2002

MULLER

W

C70361

U.S. APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

5071

PCT/EP/99/05582  
INTERNATIONAL APPLICATION NO.

BLAXOSMITHKLINE  
CORPORATE INTELLECTUAL PROPERTY UW2220  
PO BOX 1539  
KING OF PRUSSIA PA 19406-5044

I.A. FILING DATE

PRIORITY DATE

DATE MAILED:

02/26/01

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
  - ☐ a non-English language.
  - ☒ English.
- ☐ Translation of the international application into English.
- ☐ Oath or Declaration of Inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☒ Preliminary amendment(s) filed 01 Feb 2001 and 01 Feb 2001
- ☒ Information Disclosure Statement(s) filed 01 Feb 2001 and 01 Feb 2001
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed \_\_\_\_\_
- ☐ Verified Statement Claiming Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
  - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☐ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- 4. Translation of the Annexes **MUST** be submitted no later that the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
- 5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice *MUST* be returned with this response.**

Enclosed:

- ☐ PCT/DO/EO/917
- ☐ Notice of Defective Translation
- ☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Pat Booker, Paralegal

Telephone: 703-305-3738

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SALIMINE BECHAM  
2001 MAR - 1 A 10-48